IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.728 OF 2005

Mohammed Farook. .. .. Petitioner
v/s.
The State of Mah. & anr. .. .. Respondents

Mr.A.M.Saraogi for petitioner.

Ms.P.A.Purandare for res.No.2.

Mr.Rajiv Mane for res.No.1.

CORAM : H.L. GOKHALE &
S.C.DHARMADHKARI, JJ.

DATE : 5th May 2005

P.C. :

1. The petitioner is praying through this petition an alternative site for accommodation. He has filed a suit in the City Civil Court and moved a notice of motion for that prayer. The Municipal Corporation has taken a stand that the letter on the basis of which he is making a claim was inadvertently issued. The motion was rejected. He had filed an appeal from order. A civil application was taken out for interim relief, but the same was rejected. At this stage, the present petition is filed. The Municipal Corporation has filed a reply stating that the

petitioner is not entitled to an alternative site. They have given the particular accommodation to another person. We cannot permit parallel proceedings being taken for the same cause. Petition is rejected.

(H.L. GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)